5. The Parties shall review this Article five years after the date of entry into force of this Agreement, unless they agree otherwise.

Article 74
Non-Discriminatory Treatment of Services

Each Party shall ensure that its measures governing electronic commerce do not discriminate the supply of services transmitted electronically against the supply of like services by other means.

Article 75
Market Access

Unless otherwise specified in its List of Reservations referred to in Articles 57 and 90, which shall apply *mutatis mutandis*, each Party shall not adopt or maintain measures that unduly prohibit or restrict electronic commerce.

Article 76
Customs Duties

1. Recognising the importance of maintaining the current practice of not imposing customs duties on electronic transmissions, the Parties shall cooperate to make this practice binding within the framework of the World Trade Organization, with a view to considering its incorporation into this Agreement.

2. In the context of paragraph 1, the Parties confirm their current practice of not imposing customs duties on electronic transmissions under paragraph 46 of the Hong Kong Ministerial Declaration of December 2005.

Article 77
Domestic Regulation

Each Party shall endeavour to ensure that all its measures affecting electronic commerce are administered in a transparent, objective, reasonable and impartial manner, and are not more burdensome than necessary.

Article 78
Electronic Signatures and Certification Services

1. Neither Party shall adopt or maintain legislation for electronic signatures that would:

(a) prohibit parties to an electronic transaction from mutually determining the appropriate electronic signature methods for that transaction or electronic communication that has significant relevance to that transaction;

(b) prevent parties to an electronic transaction from having the opportunity to prove in court that their electronic transaction or electronic communication that has significant relevance to that transaction complies with any legal requirements with respect to electronic signatures; or

(c) prevent parties to an electronic transaction from choosing the court or tribunal to which they bring any dispute concerning the transaction.

2. Notwithstanding paragraph 1, each Party may require that, for a particular category of electronic transactions or electronic communications that have significant relevance to those transactions, the electronic signatures meet certain performance standards or are based on a specific electronic certificate issued by a supplier of certification services accredited or recognised in accordance with the Party's laws and regulations, provided that the requirement:

(a) serves a legitimate policy objective; and

(b) is substantially related to achieving that objective.

3. This Article shall not apply to any transactions or communications that have significant relevance to those transactions, if those transactions are not permitted to be made electronically under each Party's laws and regulations.

4. Each Party shall, in accordance with its legislation on electronic signatures and certification services, endeavour to facilitate the procedure of accreditation or recognition of suppliers of certification services, which have already obtained accreditation or recognition under the legislation of the other Party.

第三種郵便物認可　平成二十五年三月三十一日